

## REMARKS

Independent claims 1, 10, 20, and 21 have been amended to highlight certain distinctive aspects of the present claimed invention. In view of at least the foregoing amendments and the following remarks, the Applicants respectfully request reconsideration of the present application by the Examiner.

The Examiner rejected independent claims 1, 10, 20, and 21 under 35 U.S.C. 102(b) as being anticipated by Miyamoto et al. (U.S. Patent No. 6,139,433). The Applicants note that Miyamoto is not a prior art reference under 35 U.S.C. § 102(b). The present application claims the priority benefit of two October 10, 2001 provisional filings; Miyamoto published October 31, 2000, which is less than one year before the priority filing date of the present application. The Applicants make reference to this fact for the sake of clarifying the rejection and appreciate that the Examiner would likely render a subsequent rejection in light of Miyamoto under 35 U.S.C. § 102(e). In that regard, the Applicants respectfully traverse the rejection as set forth herein.

Miyamoto is concerned with realistic—albeit normal—game interactions such as moving a character about a game environment. For example, “[t]he video game system and methodology [of Miyamoto] . . . permits control over a character’s exploration of the three-dimensional world to an unprecedented extent.” 433:Abstract. Miyamoto (as referenced by the Examiner) further supports this characterization in that “the player controlled character can be controlled to perform consecutive jumps, consecutive kicks, backwards somersaults, long jumps, etc.” 433:3:50-52. The Examiner also cites Miyamoto’s discussion of “the character respond[ing] to environmental conditions . . . and numerous other effects which simulate realistic environmental reactions.” 433:3:52-56. Miyamoto is concerned only with normal “game play involving three-dimensional images having . . . depth and realism.” 433:1:53-55.

The presently claimed invention differs significantly from the normal game interactions of Miyamoto. For example, the presently claimed invention communicates objective-based game information to a game player without “[c]luttering the screen with numerous indicators[, which] may distract the user from the virtual world of the game.” Specification [0004]. An embodiment of the presently claimed invention accomplishes this communication of objective-based game information as “a modification of the character within a context of the game environment and without using indicators extraneous to the game environment,” as recited in (for example) claim 1. Miyamoto does not teach conveying game information but only normal game interactions with increased ‘depth and realism.’

The presently claimed “game information . . . is associated with an objective to be accomplished in a game,” as is recited in (for example) claim 1. That objective may be representative of, for example, acquiring a particular object or traveling to a particular destination. This objective-based game information is conveyed through the aforementioned character modification as “a visual modification of an aspect of the character not controlled by the user,” as is recited in (for example) claim 1. Thus, normal game interactions that are controlled by a user—like the jump kicks and somersaults of Miyamoto—do not convey objective-based game information.

The presently claimed invention achieves the foregoing conveyances of information without “obstruct[ing] a view of the game environment” as is recited in (for example) claim 1. By providing objective-based game information without obstructing the game environment, the presently claimed invention overcomes the lacking of the prior art by “providing information to users without incurring conventional problems associated with degrading the user experience and enjoyment of a game environment” as would occur through the use of, for example, on-screen indicators. Specification [0006].

## CONCLUSION

The Applicants believe that the Examiner's rejections are overcome in that Miyamoto fails to teach presenting objective-based game information to the user without using indicator extraneous to the game environment. Miyamoto also fails to teach a modification of a game character to communicate that objective-based game information, wherein the modification of the character comprises a visual modification of an aspect of the character not controlled by the user. Miyamoto also fails to teach conveying objective-based game information through a visual modification of the character such that the conveyance of information does not obstruct a view of the game environment. As such, the Applicants contend the Examiner's rejections to have been overcome.

The Applicants note that no new matter has been entered into the specification. The Applicants believe that the present claim amendments are fully supported by the specification.

The Applicants also believe the present claim amendments fall within the scope of the claims as originally searched by the Examiner and that no further search is believed to be necessary.

In light of the foregoing, the Applicants respectfully request the issuance of a *Notice of Allowance*. The Examiner is invited to contact the Applicants' undersigned representative at any time if the Examiner has any questions regarding the application.



Respectfully submitted,  
Andrew Scott Gavin et al.

July 28, 2006

By: Tam Thanh Pham

Tam Thanh Pham, Reg. No. 50,565  
**Carr & Ferrell LLP**  
2200 Geng Road  
Palo Alto, CA 94303  
Phone: (650) 812-3400  
Fax: (650) 812-3444